

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO.:

MICHAEL DAWELL MITCHELL

23 - 00454 - JAW

TRUSTEE'S OBJECTION TO CONFIRMATION

COMES NOW Trustee, Harold J. Barkley, Jr., and files this his Objection to Confirmation of the Debtor's Chapter 13 Plan; and in support thereof would most respectfully show unto this Honorable Court as follows:

1. The Debtor filed a Chapter 13 Petition on February 27, 2023 and a 341(a) Meeting of Creditors was held on April 4, 2023.
2. Upon information and belief, this plan has not been filed in good faith.
3. That, Holmes County Bank filed a secured claim for a mortgage on real estate that Debtor failed to include in his schedules and failed to provide treatment in his plan. Debtor should be required to file a modified plan providing proper treatment of all secured claims and to amend his schedules to list all property in which he has an interest, real and personal or confirmation should be denied and this case dismissed.
4. The Trustee hereby objects to any amended plan filed hereafter.
5. Other grounds to be shown at a hearing hereon.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this Objection be received and filed and at a hearing hereon confirmation be denied and for such other, further and general relief to which the Trustee and this bankrupt estate may be entitled.

Dated: April 5, 2023

Respectfully submitted,

/s/Harold J. Barkley, Jr.

HAROLD J. BARKLEY, JR. - MSB #2008

CHAPTER 13 TRUSTEE

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CERTIFICATE

I, Harold J. Barkley, Jr., Trustee, do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the following parties by United States Mail, postage prepaid or by ECF Filing Notification:

Office of the U. S. Trustee
Ustpreion05.ja.ecf@usdoj.gov

Hon. Thomas C. Rollins, Jr.
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Dated: April 5, 2023

/s/Harold J. Barkley, Jr.
HAROLD J. BARKLEY, JR.